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UNCLAS SECTION 01 OF 05 KATHMANDU 000147

SIPDIS

STATE FOR SA/INS AND DS/IP/NEA  
STATE ALSO PLEASE PASS USAID/DCHA/OFDA  
STATE ALSO PLEASE PASS PEACE CORPS HQ  
USAID FOR ANE/AA GORDON WEST AND JIM BEVER  
MANILA FOR USAID/DCHA/OFDA  
LONDON FOR POL/GURNEY  
TREASURY FOR GENERAL COUNSEL/DAUFHAUSER AND DAS JZARATE  
TREASURY ALSO FOR OFAC/RNEWCOMB AND TASK FORCE ON TERRORIST  
FINANCING  
JUSTICE FOR OFFICE OF THE DEPUTY ATTORNEY GENERAL/DLAUFMAN  
NSC FOR MILLARD  
SECDEF FOR OSD/ISA LILLENFELD

E.O. 12958: N/A

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SUBJECT: UPDATE ON NEPAL'S MAOIST INSURGENCY, JANUARY 17-23,  
2004

REFERENCE: (A) KATHMANDU 0133

(B) KATHMANDU 0120

SUMMARY

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1. On January 19, the Royal Nepal Army (RNA) launched aerial raids on the purported site of a Maoist gathering (Ref A). Thirty-one Maoists and eight security personnel reportedly were killed in other clashes. On January 16, the Ministry of Defense announced plans to add more than 6,400 recruits to the RNA. The RNA announced it had averted three bombing plots by the Maoists, including an assassination plan against the Chief of Army Staff. Minister of Information and Communication Kamal Thapa touted the "significant success" of the GON in restoring law and order to Nepal. A surrendered Maoist commander publicly admitted that two Indian terrorist groups had provided training to Maoists in Nepal on three separate occasions. Maoist spokesman Krishna Bahadur Mahara reportedly said that if the King relinquishes his position as Commander in Chief of the army, and top-level army officers resigned, "the monarchy would be acceptable to us." Maoists announced a new draft constitution for their "Peoples' Republic." The insurgents reportedly continue to threaten government officials to resign, while police arrested two for alleged involvement in last week's murder of Gopal Giri, the mayor of Birgunj (Ref B). The National Human Rights Commission (NHRC) and UNICEF issued strong statements condemning human rights violations in Nepal, particularly against children. Maoists reportedly killed two civilians and abducted two others, and continue to victimize civilians, including the elderly, young mothers and young children. End Summary.

RNA LAUNCHES AIR STRIKES

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2. On January 19, the Royal Nepal Army (RNA) conducted aerial strikes against a site in the mid-western district of Jajarkot, where a mass rally was being held by Maoists (Ref A). RNA troops have been unable to reach the site of the attacks, and conflicting reports have emerged on casualties inflicted by the bombings. The army has not yet commented publicly on the air strikes. The National Human Rights Commission (NHRC) said it plans to visit the scene to investigate.

3. Thirty-one Maoists reportedly were killed in other clashes. On January 22 three insurgents were killed in the central districts of Myagdi and Baglung. On January 21 three were killed in the eastern district of Dolakha, and four others in Nuwakot District, north of Kathmandu. Clashes on January 20 left three rebels dead, two in the eastern district of Tehrathum, and one in the western district of Dailekh. Seven insurgents were killed on January 19: five in the eastern districts of Sindhupalchowk and Dhankuta, one in the central district of Gulmi, and another in Dhading District, just west of Kathmandu. Two rebels were killed on January 18 in Nuwakot District, and five others on January 16 in the eastern districts of Ydayapur and Sankhuwasabha. On January 17 security forces killed three Maoists in a clash in Dhading District.

4. On January 22, Maoists reportedly gunned down a policeman in Tanahun District, and another one in Kavre District on January 21. On January 20, a RNA soldier was killed in Myagdi District, in the west. On January 18, four soldiers died, seven suffered injuries and four are missing after a Maoist-planted landmine exploded along a major highway in Dhangadi. One Armed Police Force (APF) officer was killed by Maoists on that same day in Morang District.

#### RNA BULKS UP; GON CLAIMS "SIGNIFICANT SUCCESS"

15. On January 16, the Ministry of Defense announced plans to add more than 6,400 recruits to the Royal Nepal Army (RNA). According to press reports, most of the new personnel will be deployed to provide extra security at airports, hydropower stations, and telecommunications towers. The RNA reportedly has also asked for additional funding to improve surveillance and intelligence capabilities.

16. On January 22, RNA spokesman Colonel Deepak Gurung announced to the press that intelligence received by the RNA helped to avert three bombing plots by the Maoists, including one to assassinate Chief of Army Staff General Pyar Jung Thapa. The RNA displayed two vehicles it seized, which reportedly had been modified to hold explosives to be detonated in the Kathmandu Valley. On January 18, a vernacular newspaper reported that Maoists have smuggled in a large cache of weapons and ammunition from India and are preparing to launch a major attack. The weapons are believed to have reached the western districts of Rolpa and Rukum.

17. On January 18, Minister of Information and Communication Kamal Thapa touted the "significant success" of the GON in restoring law and order to Nepal, citing the Maoists' inability to launch major attacks and their consequent return to individual assassinations. Thapa said that Maoist cadres continue to surrender, and reaffirmed the GON's promise to rehabilitate them. Twenty-one Maoists reportedly surrendered this week throughout Nepal, bringing the total to 124 since the GON announced its amnesty program. Several of the cadres claimed they had been forced by threats to join the insurgents.

18. Minister Thapa issued a warning to the student wings of the major political parties not to align themselves with the Maoists. Reacting to a report in a vernacular paper on January 17, which claimed that the student wings of the five agitating parties were seeking the help of the Maoists, Thapa declared that the GON "will take necessary action to stop such infiltration." Thapa said that such an invitation would only "harm the political parties in the long run."

#### MAOIST CLAIMS "INDIAN REBELS TRAINED US"

19. On January 22, a former Maoist commander publicly admitted that "the Peoples' War Group (PWG) and the Maoist Communist Center (MCC) used to train us." Jaya Bahadur Gharti, who surrendered six months ago, told reporters that the PWG and the MCC, two Indian terrorist groups, provided training in Nepal on three separate occasions, with as many as 150 Maoist cadres in attendance. Gharti did not provide the specific locations of the training centers, but said they were in the western region of Nepal. The former commander also said that Maoist leadership is "thoroughly confused," and that there is a "split among the Maoists."

#### MAOIST LEADERSHIP SHIFTING GEARS OR CHANGING TACTICS?

110. The Maoist leadership issued separate statements this week which appear to conflict with their long-term philosophies. On January 22, Maoist spokesman Krishna Bahadur Mahara hinted that the party might accept the monarchy under certain conditions. (Note: The Maoists have been fighting to overthrow the monarchy and demanding that the king abdicate. End Note). Mahara reportedly said that if the King relinquishes his position as Commander in Chief of the army, and 200 top-level army officers resigned, "the monarchy would be acceptable to us." Only days later, Mahara addressed a gathering on January 22 in the west, declaring that the Maoists "have reached the stage to grab power in the center." Earlier this week, on January 16, Maoist supremo Prachanda issued a statement that his party favors a constituent assembly if both sides dismantled their armies. Prachanda also called on the involvement of international bodies, such as the UN, to oversee elections, thereby reversing prior statements that foreign influence is not wanted in Nepal.

111. Human rights activists and senior political activists dismissed the Maoist doublespeak as yet another tactic. On January 17, the Chairman of the Human Rights and Peace Society said "it would be foolish" to trust the Maoists, and that their policies "lack honesty and uniformity." Representatives from Nepali Congress (NC) and the Rastriya Prajatantra Party (RPP) agreed that "there is room for suspicion."

#### MAOISTS DRAFT NEW CONSTITUTION

12. Maoists drafted a new constitution, based largely on the principles of Marxism, Leninism, Maoism and Prachanda Path. The draft calls for a Peoples' Assembly as the supreme power, and calls for the Peoples' Liberation Army to be the central military power. The Maoist party also calls for the establishment of a central government run by the United Revolutionary Peoples' Council and outlines fundamental rights and responsibilities pertaining to religion, equality, education, employment and health. Maoist concepts of "peoples' power" were clear from the restrictive elections in which Maoist cadre have forced villagers to participate in some areas.

#### MAOISTS THREATEN GOVERNMENT OFFICIALS

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13. On January 18, Maoists reportedly threatened the mayor and deputy mayor in Kailali District. The rebels sent letters to the mayors, demanding their resignations, and warned of "physical action" if they did not comply. The threats follow the January 15 murder of Gopal Giri, the mayor of Birgunj (Ref B). On January 21, police arrested two individuals allegedly involved in that brutal murder.

14. Maoists reportedly have also threatened other appointed government officials. According to reports, a recently appointed District Development Committee (DDC) member in Makwanpur District submitted his resignation on January 20, due to Maoist pressure. On January 17, a government official in Dailekh District submitted his resignation after being held captive and later released by Maoists. A newly appointed DDC member of Nuwakot District reportedly was abducted by Maoists on January 19. He remains missing.

15. Maoists reportedly destroyed the homes of RNA spokesman Colonel Deepak Gurung and a Deputy Inspector General (DIG) of Police. On January 19, a group of rebels bombed the ancestral house of Gurung in Nawalaparasi District after ordering all of the family members to vacate it. The insurgents also stole cash, gold and medals belonging to Gurung's eighty-five-year-old father, a retired Major. On January 16 in Kathmandu District, Maoists reportedly detonated pressure cooker bombs in the house of a DIG, destroying it.

#### NHRC CONDEMNS MAOIST KILLINGS

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16. On January 16, the National Human Rights Commission (NHRC) issued a press release condemning the Maoists for the brutal killings of unarmed civilians. The statement decried the violence perpetuated by the rebels as being against the norms and values of human rights, and called for everyone to increase efforts at restoring peace. On January 21, Nayan Bahadur Khatri, Chairman of the NHRC, declared that Nepal has "never witnessed such a high level of violations," and opined that democracy and peoples' rights were at risk.

17. UNICEF echoed the concern over rising human rights violations, especially the "appalling violations" involving children. On January 21, Carol Bellamy, the Executive Director of UNICEF, addressed the UN Security Council and said "girls and boy continued to be caught up in war." Bellamy reported to the council that schools in Nepal have been turned into recruitment centers, military bases and targets, and this misuse of schools was "one of the worst violations of child rights." The Director also lambasted the continued abductions and maiming of children, as well as attacks on schools and hospitals.

18. A joint team of security personnel reportedly shot and killed a man on January 18 in Gulmi District. Local security officials claim he was involved in Maoist activity, but locals are refuting that statement, saying he was an innocent civilian. On January 16, the Chief of Army Staff General Pyar Jung Thapa issued directives on human rights to 158 new officers, stressing the need to "protect the life and property of innocent people." The RNA continues to be criticized for human rights violations.

#### MAOIST BRUTALITY

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19. On January 17, Maoists reportedly killed a civilian in Bara District. On January 18, a teacher in Morang District and a Nepali Congress (NC) worker in Ramechhap were shot and killed by rebels. On that same day in Dhading District, three civilians, including two children, were injured when a socket bomb left by Maoists exploded. Five civilians were injured, and one woman killed on January 19, after a Maoist-planted landmine exploded in Myagdi District. The ambush was meant for patrolling security teams. On January 18, Maoists reportedly abducted a teacher in Parbat District, and a member of the Communist Party of Nepal-United Marxist Leninist (CPN-UML) on January 17 in Dailekh.

120. On January 19, a vernacular newspaper reported that Maoists in the western district of Kalikot are forcing villagers, including children, to not only act as guards, but to also carry weapons in direct violation of international law. The rebels demand that elderly villagers and women, often holding newborn babies, act as sentinels to warn them of approaching security forces. Young children reportedly are also forced to carry weapons while patrolling the villages. The newspaper quoted a sixty-year-old woman as saying that the Maoists "will punish us severely if we don't follow their orders," and would not hesitate to "use old people and women as human shields."

MALINOWSKI